

03/01/02
JF130 U.S. PTO

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As modified by Blakely, Sokoloff, Taylor & Zafman LLP

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 004524.P078
(maximum 12 characters)

First Named Inventor J. Timothy Jackson

Title: METHOD AND APPARATUS FOR COMMUNICATING CONTROL DATA IN AN ASYNCHRONOUS
COMMUNICATION CHANNEL

Express Mail Label No. EL861982689US

10/08/399
03/01/02
PTO

ADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 28)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 5)
5. Oath or Declaration (Total Pages 5)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on
 - i. CD-ROM or CD-R (2 copies), or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & documents(s))
10. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 Power of Attorney
11. English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449
 b. Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17A. Other: Certificate of mailing with copy of return receipt postcard signed by attorney.

17B. Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18A. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet Under 37 C.F.R. 1.76:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.

For **CONTINUATION AND DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address
 Customer Number or Bar Code Label _____
 or _____ (Insert Customer No. or Attach Bar Code Label here)
 Correspondence Address Below
NAME Lawrence E. Lycke
ADDRESS BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard
Seventh Floor
CITY Los Angeles STATE California ZIP CODE 90025-1026
Country U.S.A. TELEPHONE (206) 292-8600 FAX (206) 292-8606

Name (PRINT/TYPE): Lawrence E. Lycke Registration No.: 38,540
Signature: Lawrence E. Lycke Date: March 1, 2002

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor J. Timothy Jackson
Title METHOD AND APPARATUS FOR COMMUNICATING CONTROL DATA IN AN ASYNCHRONOUS
COMMUNICATIONS CHANNEL
Attorney Docket No. 004524.P078

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 1, 2002

Date



Signature

Lawrence E. Lycke

Typed or Printed Name

38,540

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(ii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$1,448.00

Complete if Known:

Application No. Not yet assignedFiling Date HerewithFirst Named Inventor J. Timothy Jackson

Group Art Unit _____

Examiner Name _____

Attorney Docket No. 004524.P078

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. Payment Enclosed:

Check
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity			
Fee	Fee	Fee	Fee	Fee Paid
Code	(\$)	Code	(\$)	
101	740	201	370	Utility application filing fee \$740.00
106	330	206	165	Design application filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional application filing fee
SUBTOTAL (1)				<u>\$ 740.00</u>

2. EXTRA CLAIM FEES

	Extra Claims		Fee from below	Fee Paid
Total Claims <u>50</u>	<u>- 20** = 30</u>	<u>X</u>	<u>\$18.00</u>	<u>= \$540.00</u>
Independent Claims <u>5</u>	<u>- 3** = 2</u>	<u>X</u>	<u>\$84.00</u>	<u>= \$168.00</u>
Multiple Dependent				=

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				<u>\$ 708.00</u>

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	400	216	200
117	920	217	460
118	1,440	218	720
128	1,960	228	980
119	320	219	160
120	320	220	160
121	280	221	140
138	1,510	138	1,510
140	110	240	55
141	1,280	241	640
142	1,280	242	640
143	460	243	230
144	620	244	310
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
146	740	246	370
149	740	249	370
179	740	279	370
169	900	169	900

Other fee (specify) _____

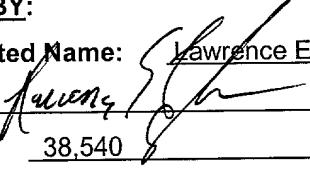
Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Lawrence E. Lycke

Signature:  Date: March 1, 2002

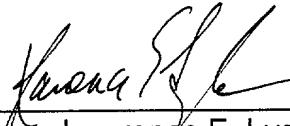
Reg. Number: 38,540 Telephone Number: (206) 292-8600

METHOD AND APPARATUS FOR COMMUNICATING CONTROL DATA IN AN ASYNCHRONOUS COMMUNICATIONS CHANNEL

Inventors: J. Timothy Jackson

Respectfully submitted,

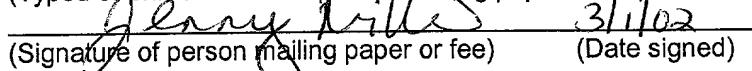
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP


Lawrence E. Lycke
Reg. No. 38,540"Express Mail" mailing label number: EL861982689USDate of Deposit: March 1, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Jenny Miller

(Typed or printed name of person mailing paper or fee)


3/1/02
 (Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: Not yet assigned Filing/Issue Date: Herewith
 Client: Terabeam Corporation
 Title: METHOD AND APPARATUS FOR COMMUNICATING CONTROL DATA IN AN ASYNCHRONOUS COMMUNICATIONS CHANNEL
 BSTZ File No.: 004524, P078 Atty/Secty Initials: LEI/jem
 Date Mailed: March 1, 2002 Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Amendment/Response (____pgs.) Express Mail No **EL861982689US** Check No. **2046**
 Appeal Brief (____pgs.) (in triplicate) Month(s) Extension of Time Amt: **\$1,448.00**
 Application - Utility (**28**pgs., with cover and abstract) Information Disclosure
 Application - Rule 1.53(b) Continuation (____pgs.) Statement & PTO-1449 (____pgs.) Check No. _____
 Application - Rule 1.53(b) Divisional (____pgs.) Issue Fee Transmittal Amt: _____
 Application - Rule 1.53(b) CIP (____pgs.) Notice of Appeal
 Application - Rule 1.53(d) CPA Transmittal (____pgs.) Petition for Extension of Time
 Application - Design (____pgs.) Petition for _____
 Application - PCT (____pgs.) Postcard
 Application - Provisional (____pgs.) Power of Attorney (____pgs.)
 Assignment and Cover Sheet Preliminary Amendment (____pgs.)
 Certificate of Mailing Reply Brief (____pgs.)
 Declaration & POA (**5** pgs.) Response to Notice of Missing Parts
 Disclosure Docs & Orig & Small Entity Declaration for Indep. Inventor/Small Business
 Copy of Inventor's Signed Letter (____pgs.) Transmittal Letter, in duplicate **3 pages each**
 Drawings: **5** # of sheets includes **7** figures Fee Transmittal, in duplicate **2 pages each**
 Other ***Certificate of mailing with copy of return postcard signed by attorney. Also S/B 35 for Non-publication.**